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AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

UNITED STATES DISTRICT COURT

for the
Eastern District of North Carolina

FILED

JUN 11 2024

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
DEP CLK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

JOSHUA ALLEN BOLEN, white male, date of birth
[REDACTED] North Carolina Department of Adult
Correction offender #1496578

Case No. 7:24-mj-1151-RJ

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Eastern District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 876(c)

Offense Description
mailing of threatening communications

The application is based on these facts:
See Attached Affidavit.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Max S. Wooten
Applicant's signature

MAX S. WOOTEN, TASK FORCE OFFICER, FBI
Printed name and title

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Application for a search warrant in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: June 11 2024

Robert B. Jones, Jr.
Judge's signature

City and state: Wilmington NC

United States Magistrate Judge Robert B. Jones, Jr.
Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

Your Affiant, Max Wooten, being duly sworn, deposes and states as follows:

INTRODUCTION

1. Your Affiant is employed as a Corporal with the Winston-Salem Police Department and has been so employed since February of 2005. Your Affiant is currently assigned to the Charlotte Division, Greensboro Resident Agency of the Federal Bureau of Investigation's (FBI) Joint Terrorism Task Force as a Task Force Agent (TFA). In this capacity, your Affiant is authorized to investigate matters involving violations of federal law. Your Affiant holds the Advanced Law Enforcement Certificate issued by the North Carolina Criminal Justice Training and Education Standards Commission.

2. As a federal Task Force Agent, your Affiant is authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.

3. Your Affiant has conducted and assisted with numerous investigations involving the commission of violent crimes, such as shootings, aggravated assaults, robberies, and threatening communications. Through instruction, training, experience, participation in investigations, and the exchange of information with other law enforcement officers, your Affiant has

become familiar with the manner in which people commit these violent acts and the methods, language, and terms used to further their criminal activities.

4. Through experience gained during multiple investigations, your Affiant is aware that forensic evidence, such as fingerprints and DNA, can be obtained during the forensic processing of physical evidence. From your Affiant's experience, your Affiant has learned that this forensic evidence can be used to identify and eliminate suspects. This Affidavit is being submitted in support of an application for a Search Warrant for:

- Known DNA (buccal swabs) from JOSHUA ALLEN BOLEN, white male, date of birth (DOB) [REDACTED] North Carolina Department of Adult Correction offender #1496578.

5. Your Affiant is currently investigating a series of letters sent to the Stokes County Clerk of Court and Stokes County District Attorney's Office in Danbury, North Carolina, by inmate JOSHUA ALLEN BOLEN. BOLEN is currently incarcerated at the Hyde Correctional Institution located at 620 Prison Rd, Swanquarter, North Carolina, which is in the Eastern District of North Carolina (EDNC). BOLEN was convicted of Second-Degree Murder and Second Degree Arson in Stokes County Superior Court in 2016 and was sentenced to approximately twenty-one years and nine months incarceration in the North Carolina Department of Adult Correction.

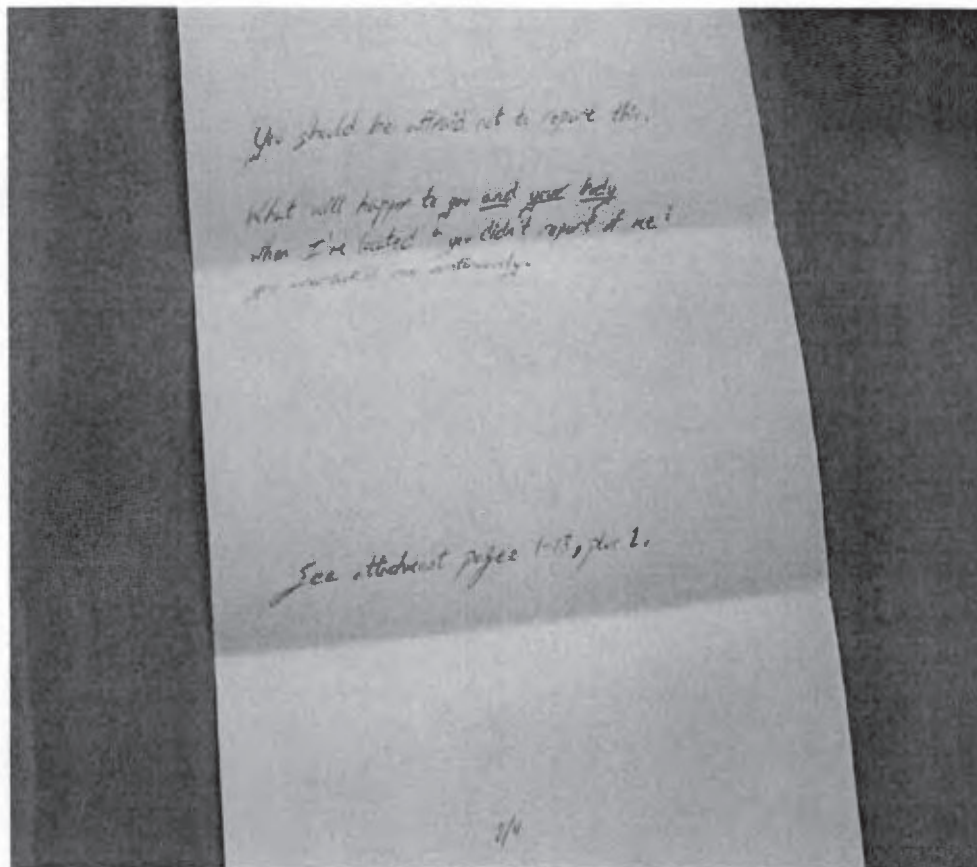
6. The information contained in this Affidavit is a result of an investigation being conducted by your Affiant and personnel from the Federal Bureau of Investigation (FBI) and the Stokes County Sheriff's Office (SCSO) in Danbury, North Carolina. Your Affiant has not set forth every fact resulting from the investigation; rather, your Affiant has set forth a summary of the investigation to date in order to establish Probable Cause in this Affidavit.

BACKGROUND OF THE INVESTIGATION

7. On or about March 3, 2024, your Affiant was notified the SCSO had initiated an investigation into a threatening letter that had been sent through the mail to a North Carolina Superior Court Judge in Stokes County, North Carolina. Your Affiant received photos of the letter mailed to the Stokes County Clerk of Superior Court located at 1012 Main St, Danbury, North Carolina. The letter appeared to be written as an official court document, in those statements such as "Writ of Habeas Corpus" were written on the first page. There also appeared to be blood stains on the last page of the letter. The following statement was handwritten on the second page of the letter:

You should be afraid not to report this. What will happen to you and your body when I'm located & you didn't report of me: you overlook'd me continuously.

A photograph of the letter is captured below:



8. On the same day, the Affiant spoke with an Assistant District Attorney (ADA) of the Stokes County District Attorney's Office regarding this matter. The ADA informed the Affiant that she was familiar with the threatening letter that had recently been mailed to the Stokes County Clerk of Court. The ADA advised the Judge being threatened was the Honorable (Hon) A.P. (hereinafter "A.P."), who is currently the Resident Superior Court Judge for Stokes County.

9. On or about March 18, 2024, your Affiant and Task Force Officer (TFO) Robert Finch of the FBI interviewed A.P. in her chambers, located at the Surry County Courthouse in Dobson, NC. The following are details of the interview:

10. A.P. was appointed as Resident Superior Court Judge for Stokes and Surry Counties in 2019. Shortly thereafter, she learned of letters that were being sent by BOLEN, who was incarcerated in North Carolina Department of Corrections. Some of the letters were written as court filings in which BOLEN filed a Writ of Habeus Corpus. In these letters, BOLEN complained about being incarcerated too long and other case related topics. Since A.P. was the Resident Superior Court Judge for Stokes County, she had to respond to these letters in a timely manner because they were written as official court filings. A.P. said that BOLEN wrote other letters which seemed to be nothing more than complaints about religion, aliens, and other non-legal topics. A.P. did not respond to letters that were not written as court filings.

11. Your Affiant showed A.P. several photographs of the letter dated January 21, 2024, which contained what appeared to be a blood stain and threats from BOLEN. A.P. advised she was made aware of the letter by her court manager. A.P. advised she read the letter upon receipt of same and observed the threat that stated, "What will happen to you and your body when

I'm located." A.P. mentioned the letter also stated, "you have overlook'd me," and she believed BOLEN was referring to the times she has not responded to his rants. Your Affiant asked A.P. if the letters were addressed to her, and she said they were addressed to the Clerk of Court, but she was the only judge who has overseen BOLEN's filings for the past five years.

12. TFO Finch asked A.P. if she changed any of her normal day to day routines as a result of the threatening letter. A.P. was concerned enough to check the North Carolina Department of Adult Correction website to make sure BOLEN was still incarcerated, and she thought he might be trying to escape based on the way he was writing. She was also concerned as to how BOLEN would be able to make himself bleed but discovered he was in a minimum-security part of the prison, which would give him access to items he could use to cut himself.

13. A.P. advised BOLEN sent another letter in February 2024 which contained possible blood on it. Court personnel notified A.P. of the letter and what was written on it. A.P. declined to review the letter. Another North Carolina Superior Court Judge reviewed the matter and ordered the letter not be filed with the clerk's office. The judge also ordered the letter be turned over to the SCSO and Stokes County District Attorney's Office for investigation.

A.P. stated she felt threatened by the letter which contained the threatening statement.

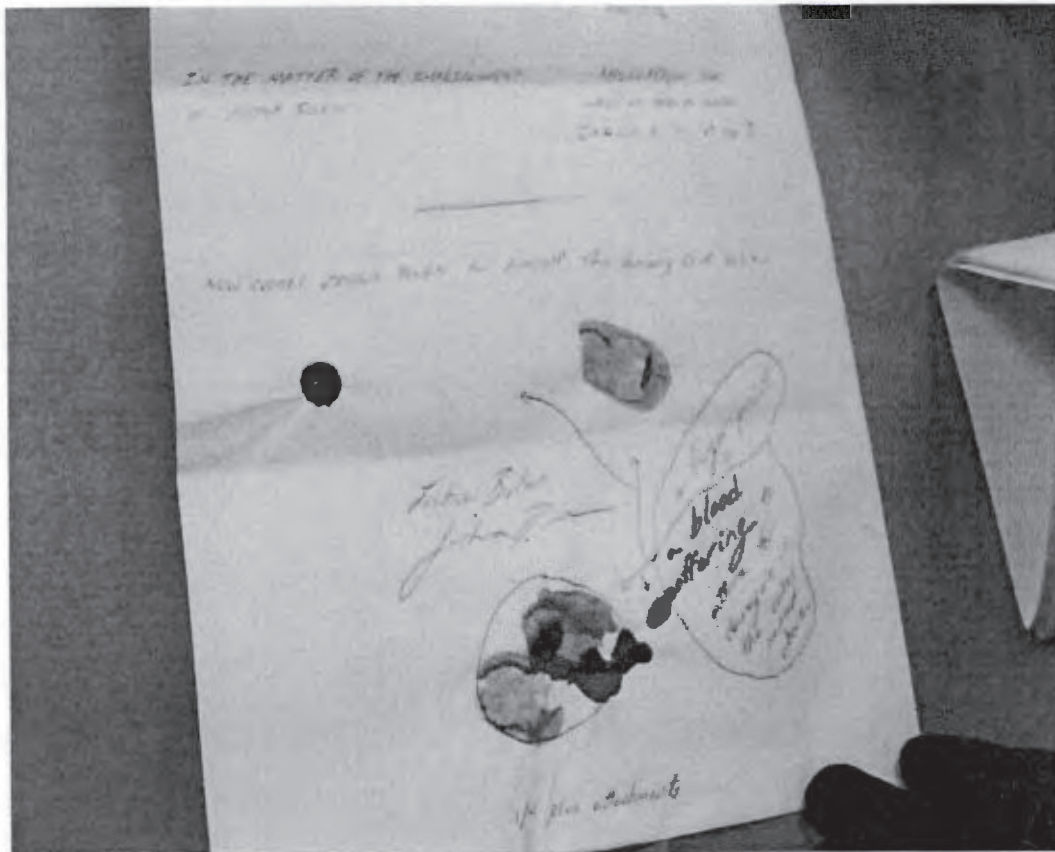
14. On the same day, your Affiant and TFO Finch met with Detective (Det) Jordan Bullins of the SCSO. Det. Bullins provided your Affiant and TFO Finch a brown evidence bag containing all of the physical letters sent to the Stokes County Clerk of Court by BOLEN. The evidence bag was transported to the Greensboro Resident Agency of the FBI to be held as evidence.

15. On March 19, 2024, your Affiant and Evidence Control Technician (ECT) Teresa Cookson of the FBI examined the evidence and found there to be nine (9) individual letters and four (4) separate envelopes. Two of the envelopes were sent by "J. Bolen #1496578," and the other two were sent by "Joshua Bolen #1496578." All four envelopes had a return address of 620 Snell Rd, Columbia, NC 27925, and "MAILED FROM TYRRELL PRISON WORK FARM" was stamped on the outside of all four envelopes.

16. Your Affiant queried the North Carolina Department of Adult Correction database and confirmed BOLEN was incarcerated at Tyrrell Work Farm prior to being moved to Hyde Correctional Institution on March 5, 2024. Your Affiant and ECT Cookson wore protective gloves during this process. Three (3) of the letters had what appeared to be blood fingerprints and/or blood stains on them. The letter that contained the previously mentioned threat had

the following handwritten statement on the last page: "Now comes JOSHUA BOLEN for himself. This January 21st, 2024." There appeared to be a bloody fingerprint and a thick blood stain near the bottom of the same page. The letter was signed by "Joshua Bolen," and the blood stain was circled in ink. Next to the bloodstain was the following handwritten statement: "a fingerprint & a blood offering to attone for damages in the cases named above."

A photograph of the letter referenced above:



17. On March 26, 2024, your Affiant spoke with personnel assigned to the FBI Laboratory in Quantico, Virginia about this matter to determine what biological sample would be needed for comparison. Laboratory personnel informed your Affiant they would only need a known DNA buccal swab from the subject to compare to the suspected blood located on the letters.

18. On April 1, 2024, your Affiant and Special Agent (SA) Adam Scholtz of the FBI met with Dobbins and other Stokes County Clerk of Court personnel to discuss a timeline of the receipt of the letters sent by BOLEN. Your Affiant learned the four-page letter containing what appeared to be a heavy blood stain and the handwritten threat was received in the mail on or about February 27, 2024. The two additional letters that contained what appeared to be bloody fingerprints were received on or about February 21, 2024. The remaining letters that did not contain threats or suspected blood were also received on or about February 21, 2024, and February 27, 2024. Clerk of Court personnel advised your Affiant they had been receiving letters periodically from BOLEN since he was initially incarcerated in 2016.

19. During this meeting, Court personnel provided your Affiant with a new letter that was received in the mail from BOLEN on April 1, 2024. The envelope was addressed to the following: "Judges, Superior Court Judges Office, District 17-B, PO BOX 738, Dobson, NC 27017". The return address

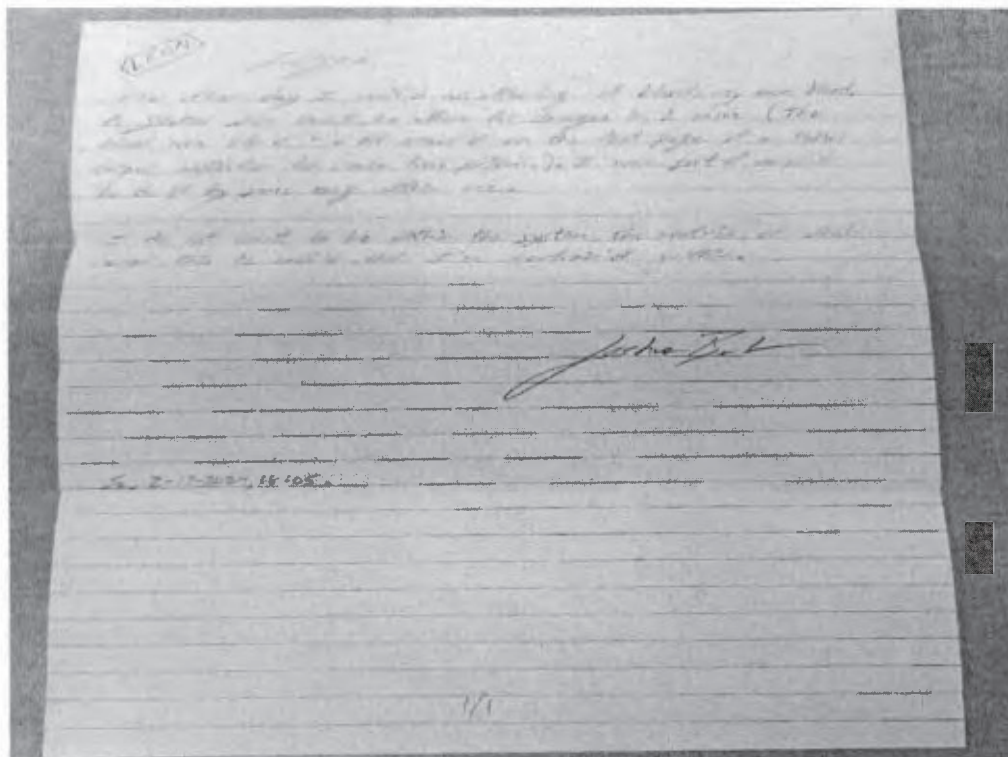
was the following: "J Bolen #1496578, 620 Snell Rd, Columbia, NC 27825". This letter contained two handwritten pages. On the first page, BOLEN wrote about the first time he "tasted blood" and how he is "alwayz thinkin blood to drink." On the second page, the word "LEGAL" and "Judgez" were written at the top. The following statements were handwritten on the same page:

The other day I mail'd an offering of blood, my own blood, to Stokes Sup Court, to attone for damages in 2 casez (The blood was drip'd & a bit smear'd on the first page of a Habeas Corpus application for rease from prison.). I was sort of compell'd to do it by some earg within me.

I do not want to be within the system, the matrix, or what-ever this iz call'd that I'm restrain'd within.

BOLEN signed the letter, and the phrase "Sa, 2-17-2024, 18:05." was handwritten at the bottom of the page, which appeared to indicate when BOLEN drafted the letter.

A picture of the letter is depicted below:



This letter was transported to the Greensboro Resident Agency of the FBI, where it will be held as evidence.

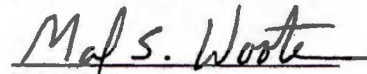
20. In light of the above facts, your Affiant knows that DNA is commonly located and recovered from evidence, to include written documents. DNA evidence can potentially identify perpetrator(s) involved in criminal activity as well as exclude involved person(s). Your Affiant is now requesting to obtain known DNA (buccal swabs) from JOSHUA ALLEN BOLEN, white male, DOB [REDACTED] North Carolina Department of Adult Correction offender #1496578. The DNA collected from JOSHUA ALLEN BOLEN, along with the letters containing suspected blood, will be submitted to the FBI

Laboratory for comparison to determine if the suspected blood on the letters matches the DNA collected from BOLEN.

21. Based on the aforementioned factual information, your Affiant respectfully requests the Court to issue this Search Warrant authorizing the collection of DNA evidence from the person named above, so it can be compared to the samples obtained from the evidence seized during this investigation. Your Affiant concludes there is probable cause to believe that a violation of 18 U.S.C. § 876(c), mailing of threatening communications.

22. Your Affiant respectfully requests a Warrant be issued, authorizing the Federal Bureau of Investigation to search JOSHUA ALLEN BOLEN and obtain DNA for comparison purposes.

Respectfully submitted,



Max Wooten

Task Force Officer

Federal Bureau of Investigations

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 11 day of June, 2024, at 2:05 a.m./p.m.



ROBERT B. JONES, JR.

United States Magistrate Judge

ATTACHMENT A
Person to be searched

The person to be searched is as follows:

JOSHUA ALLEN BOLEN, white male, date of birth (DOB) [REDACTED]
North Carolina Department of Adult Correction offender #1496578

ATTACHMENT B

1. Evidence concerning the violation of 18 U.S.C. § 876(c), Mailing of Threatening Communications, as follows:

- a. Buccal DNA swab saliva specimen collected from JOSHUA ALLEN BOLEN; or
- b. In the event a buccal DNA sample cannot be obtained, a blood sample from JOSHUA ALLEN BOLEN.